

PATENT
App. Ser. No.: 10/017,959
Atty. Dkt. No. ROC920010308US1
PS Ref. No.: IBMK10308

REMARKS

This is intended as a full and complete response to the Office Action dated August 11, 2005, having a shortened statutory period for response set to expire on November 11, 2005.

Claims 1-28 are pending in the application. Please reconsider the claims pending in the application for reasons discussed below.

Claim Rejections - 35 U.S.C. § 103

Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over *Bates et al.* (US Pub. 2003/0061599, hereinafter referred to as "*Bates*") in view of *Sangavarapu et al.* (US 2002/0073401, hereinafter referred to as "*Sangavarapu*").

Applicants respectfully traverse this rejection because neither *Bates* nor *Sangavarapu* are available as references for the present application.

STATEMENT OF COMMON OWNERSHIP FOR *BATES*

Bates was first published on March 27, 2003. The present application was filed on December 14, 2001. Thus, *Bates* is available as a reference only under 35 U.S.C. § 102(e). *Bates* and the present invention were, at the time the present application was made, owned by the same entity, or subject to an obligation of assignment to the same entity. Under 18 U.S.C. § 103(c), this Statement of Common Ownership removes *Bates* as a reference.

STATEMENT OF COMMON OWNERSHIP FOR *SANGAVARAPU*

Sangavarapu was first published on June 13, 2002. The present application was filed on December 14, 2001. Thus, *Sangavarapu* is available as a reference only under 35 U.S.C. § 102(e). *Sangavarapu* and the present invention, at the time the present application was made, owned by the same entity, or subject to an obligation of assignment to the same entity. Under 18 U.S.C. § 103(c), this Statement of Common Ownership removes *Sangavarapu* as a reference.

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Therefore, Applicants respectfully request that the rejection based on *Bates* and *Sangavarapu* be withdrawn. Allowance of the claims is respectfully requested.

Conclusion

Having addressed all issues set out in the office action, Applicants respectfully submit that the claims are in condition for allowance and respectfully request that the claims be allowed.

Respectfully submitted,



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